



City Council Agenda

Council President
Brad Castillo

Councilmembers

Tom Boyajian
Brian Calhoun
Mike Dages

Jerry Duncan
Henry T. Perea, Acting President
Cynthia Sterling

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch , CMC

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

TUESDAY, MARCH 16, 2004

If you would like to speak, fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on (www.ci.fresno.ca.us). The Council meeting can also be heard live at the same web site address.

8:30 A.M. ROLL CALL

Invocation

Pledge of Allegiance to the Flag

Proclamation of "BIG BROTHERS AND BIG SISTERS DAY - BOWL FOR KIDS SAKE" - Councilmember Boyajian

Proclamation of "AMERICAN RED CROSS MONTH" - Mayor Autry

Proclamation of "CLUB ONE CELEBRITY POKER TOURNAMENT DAY" - Councilmember Dages

Presentation of Driver Appreciation Awards to Fresno Area Express for the 3rd and 4th Quarter - Council President Castillo

Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Approve minutes of March 9, 2004

Action Taken:

Councilmember Reports and Comments

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

1. **GENERAL CONSENT CALENDAR**

(All consent calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 2:00 p.m.

- A. Request authorization to lease-purchase forty (40) replacement police patrol sedans using the City's Master Lease Agreement - Police Dept., General Services Dept and Fleet Management

Action Taken:

- B. Item removed from the agenda

- C. Award and approve Municipal Securities Administrative Agreement with Munifinancial to provide services in connection with City bonds and assessment districts - Finance Dept.

Action Taken:

- D. * Reject all bids for design, build and maintain a compressed natural gas fueling facility - General Services Dept./Public Works Dept.

Action Taken:

1. **GENERAL CONSENT CALENDAR CONTINUED**

- E. **RESOLUTION** - Dedicating certain City-owned property for public street purposes, property located on the southwesterly side of "O" Street between Ventura and Santa Clara Streets - Public Works Dept.
Action Taken:
- F. Adopt Resolution of Intention to vacate a portion of the Broadway-"H" alley between Amador and Sacramento Streets and setting the hearing for April 13, 2004 @ 10:15 a.m. (R.I. No. 1034-D) - Public Works Dept.
Action Taken:
- G. * Approve the Hitachi Credit America Corp. Financing Agreement - Information Systems Department
Action Taken:
1. * **RESOLUTION** - 75th amendment to AAR No. 2003-209 appropriating \$948,500 for the upgrade of the PeopleSoft financial software (***Requires 5 affirmative votes***)
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

- 9:30 A.M. * **BILL - (*For introduction*)** - Adding Article 6 to Chapter 3 of the Fresno Municipal Code relating to regulating communications with the Mayor and Councilmembers during competitive contracting process - Councilmember Dages
Action Taken:
- 10:00 AM#1 **HEARING** regarding Community Facilities District No. 2, Annexation No. 67, Final Tract Map No. 5067
Action Taken:
- a. **RESOLUTION** - Annexing territory to Community Facilities District No. 2, Annexation No. 67 and authorizing the levy of a special tax
Action Taken:
- b. **RESOLUTION** - Calling a special mailed-ballot election
Action Taken:
- c. **RESOLUTION** - Declaring election results
Action Taken:
- d. * **BILL** - Levying a special tax for the property tax year 2003-2004 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 67, Final Tract Map No. 5067
Action Taken:
- 10:00 AM#2 **HEARING** to consider the 2004 Weed Abatement Program (***Continue to 10:30 a.m.***)
- a. **RESOLUTION** - Adopting the 2004 Weed Abatement Program and declaring that dry grass, weeds, trash, and debris on vacant lots and lots with vacant structures pose a significant fire hazard in the City of Fresno - Planning and Development Dept./Code Enforcement

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:15 A.M. HEARING to consider Plan Amendment Application No. A-03-09 and environmental findings, filed by Dirk Poeschel Land Development, for approximately ¾ lineal mile along the S. Minnewawa Avenue alignment from E. Butler Avenue to Fancher Creek (***Property located in District 5***)

Action Taken:

- a. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. A-03-09

Action Taken:

- b. **RESOLUTION** - Amending the 2025 Fresno General Plan and the Roosevelt Community Plan for the deletion of the multi-purpose trail designation

Action Taken:

10:30 A.M. CONTINUED HEARING to consider the 2004 Weed Abatement Program

- a. **RESOLUTION** - Adopting the 2004 Weed Abatement Program and declaring that dry grass, weeds, trash, and debris on vacant lots and lots with vacant structures pose a significant fire hazard in the City of Fresno - Planning and Development Dept./Code Enforcement

Action Taken:

10:45 A.M. - 11:00 A.M. - RECESS

11:15 A.M. Direction regarding local options to address State efforts to pass State deficit onto cities - Mayor Autry and Finance Dept.

Action Taken:

2:00 PM #1 **CONTESTED CONSENT ITEMS**

2:00 PM #2 **CLOSED SESSION**

A. CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Adela Gonzalez, Jorge C. Aguiniga and Jon Ruiz

Employee Organization(s):

1. Amalgamated Transit Union (ATU) Local 1027
2. Fresno City Employees' Association (FCEA)
3. Fresno Police Officers' Association (FPOA Management Unit)
4. International Association of Firefighters (IAFF Management)
5. International Association of Firefighters (IAFF Non-Management) Local 753
6. International Union of Operating Engineers, Stationary Engineers Local 39
7. City of Fresno Professional Employees' Association (CFPEA)
8. City of Fresno Management Employees' Association (CFMEA)
9. International Brotherhood of Electrical Workers, Local 100 (IBEW)

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:00 PM #3 **CLOSED SESSION ANNOUNCEMENTS (IF ANY)**

2:45 P.M. **WORKSHOP** relating to surface transportation overview - Fresno Area Express/Public Works Dept.

5:00 P.M. **HEARING** to consider Rezone Application No. R-03-37, and environmental findings, filed by Jeffrey Wall, pertaining to a 1.54-acre parcel of land located on the west side of N. Winery Avenue between E. Clinton and E. Harvard Avenues (*Property located in District 4*)

Action Taken:

- a. Consider and adopt Environmental Assessment No. R-03-37/TPM-2003-13, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)

Action Taken:

- b. **BILL** - Amending the Official Zone Map to rezone the site from the R-1-AH (Fresno County, Single Family Residential/Horses) zone district to the R-1 (Single Family Residential) zone district

Action Taken:

2. **GENERAL ADMINISTRATION**

- A. * **BILL NO. B-19 (Intro. 3/9/2004) (For adoption)** - Amending Sections 904(b), 9-909, 9-911 and 9-912 of the Fresno Municipal Code relating to the enforcement and cost recovery provisions of the Management of Real Property Ordinance - Planning and Development Department

Action Taken:

- B. * **BILL NO. B- 20 (Intro. 3/9/2004) (For adoption)** - Amending Sections 7-504(a), 7-509(a), and (b), 7-512(f) and 7-515(e) of the Fresno Municipal Code regarding references to the Gambling Control Act, under the City of Fresno's cardroom ordinance - City Attorney's Office

Action Taken:

3. **CITY COUNCIL**

- A. Request staff update and direction on Apprenticeship Program - Councilmember Dages

Action Taken:

- B. Request staff to research the affects of changing Section 12-905 of the Fresno Municipal Code to allow condominium conversions to be considered on a daily basis rather than semi-annually - Councilmember Boyajian

Action Taken:

3. **CITY COUNCIL CONTINUED**

- C. Prohibit parking fund resources from being used for public relations program for the Fresno Grizzlies; direct staff that if this program is funded by taxpayer dollars from any other source the program components that are used or displayed follow all applicable City codes and ordinances - Councilmember Duncan

Action Taken:

4. **PUBLIC COMMENT PERIOD - No Council action except to place on future agenda.
Presentation limited to three (3) minutes.**

A. **SCHEDULED PUBLIC COMMENT**

- B. **UNSCHEDULED COMMUNICATION** - Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Mar. 23 - **NO MEETING**

Mar. 30 - **9:30 A.M. HEARING** re: eminent domain

Mar. 30 - **9:45 A.M. HEARING** re: eminent domain

Mar. 30 - **10:00 A.M. HEARING** - To adopt a resolution to vacate portions of Weldon, Glenn, and Calaveras Avenues - Public Works Dept.

Mar. 30 - **10:15 A.M. HEARING** re: Rezone Appl. No. R-03-73, filed by Ed Daniels

Mar. 30 - **10:30 A.M. HEARING** re: Rezone Appl. No. R-03-70, filed by Paul Stommel, for Percy and Crystal Williams

Mar. 30 - **10:35 A.M. HEARING** re: Rezone Appl. No. R-03-64, Plan Amendment No. 03-15, CUP No. 03-218, filed by Dirk Poeschel/Anthony Ciulla on behalf LeDestri Foods, Inc.

Mar. 30 - **10:45 A.M. HEARING** re: Rezone Appl. No. R-03-62, Plan Amendment No. A-03-13, filed by JCT Development II, LLC, the Asch Family, and Ashlan and Blythe Partners

Mar 30 - **11:00 A.M. HEARING** re: Plan Amendment Appl. No. A-03-06 and Rezone Appl. No. R-03-38 filed by Sherman Spradling of the Werfel Family Limited Partnership, pertaining to 5.15 acres located on the northeast corner of South Orange and East California Avenues

Mar. 30 - **2:15 P.M. JOINT WORKSHOP** re: Caltrans and City Partnership - Public Works and Planning and Dev. Depts.

Apr. 6 - **MEETING CANCELLED - EASTER WEEK**

Apr. 13 - **10:00 A.M. HEARING** re: vacation of Washington Avenue between Thesta Street and the Fresno-Howard Alley, Howard Street between McKenzie Avenue and Washington Avenue, and the Howard-Thesta Alley north of McKenzie Avenue (R.I. No. 1033-D)

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| SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED |
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| Apr. | 13 - | 10:15 A.M. | HEARING re: vacation of a portion of the Broadway - "H" Alley between Amador and Sacramento Street, - R.I. No. 1034-D |
| Apr. | 13 - | 10:30 A.M. | HEARING re: Plan Amendment No. A-03-11, Rezone Appl. No. R-03-57, filed by John Allen |
| Apr. | 13 - | 2:15 P.M. | WORKSHOP re: Urban forest - Parks, Recreation and Community Services Dept. and Public Works Dept. - Meeting Room "A" - 2165N |
| Apr. | 20 - | 10:00 A.M. | Presentation of Employee Service Awards (Reception immediately following - 2nd floor foyer) |
| Apr. | 27 - | 8:30 A.M. | Presentation of P.R.I.D.E. Team Certificates (Reception immediately following - 2nd floor foyer) |

UPCOMING WORKSHOPS

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| Mar. | 30 - | 2:15 P.M. | JOINT WORKSHOP re: Caltrans and City Partnership - Public Works and Planning and Dev. Depts. |
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FUTURE WORKSHOP *(Date to be determined)*

WORKSHOP re: Consideration of additional services to be provided by Community Facilities Districts in the City of Fresno - Public Works Dept. - **Meeting Room "A" - 2165N**

WORKSHOP relating to Neighborhood Infrastructure Master Plan - Public Works Dept.